

Appl. No. 10/617,185
Amdt. dated 21/04/2005
Reply to Office Action of 03/02/2005

REMARKS/ARGUMENTS

This letter is responsive to the Final Action of March 2, 2005.

Claims 1, 3-10 and 12-25 are pending.

The Examiner has rejected claims 1-17 and 19-25 under 35 USC 103(a) as being unpatentable over Got et al (US 6,066,278) in view of Kishimura et al (US 4,755,553). The Examiner has rejected claim 18 under 35 USC 103(a) as being unpatentable over Got et al (US 6,066,278) in view of Kishimura et al (US 4,755,553) further in view of Coran et al (US 4,323,625) and Felegi Jr. et al (US 5,134,179).

Applicant respectfully traverses.

Applicant has previously remarked that compositions of the presently claimed invention have superior mechanical properties over Got et al. Applicant's disclosure at paragraphs [0007], [0044], [0048] and [0058] state this, and the examples provide particular experimental evidence for this fact. It is settled law that evidence of superiority of a property shared with the prior art is evidence of nonobviousness (see MPEP 716.02(a)(II)).

Kishimura adds nothing to Got et al. The only place Kishimura et al even mentions a mechanical property is at col. 5, lines 18-26 where they state:

"The acid value of the resulting graft-modified propylene polymer [B] is 6 to 187 mg-KOH/g-polymer, preferably 12 to 120 mg-KOH/g-polymer.

...

Where it exceeds 187 mg-KOH/g-polymer, $[\eta]$ of the graft-modified propylene polymer [B] or $[\eta]$ of its post-chlorination product gets low which results in decrease of mechanical strength."

This statement suggests nothing at all about a difference between an acid value of 20 mgKOH/g (Got et al) and an acid value of greater than 35 mgKOH/g (present claims), and especially suggests nothing at all about a resulting improvement in mechanical properties.

Even if one skilled in the art would look to combine Kishimura et al with Got et al (which one wouldn't since Kishimura et al is directed to primer compositions not structural compositions), Kishimura et al would teach away from the presently claimed invention as they indicate that higher acid values decrease mechanical strength, which is decidedly not the case in the present invention.

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In view of the above remarks, reconsideration on all claims is respectfully requested. Applicant respectfully requests withdrawal of the Final Action and requests that a timely Notice of Allowance be issued in this case.

Applicant requests an interview with the Examiner to discuss the case before an Advisory Action is mailed. The Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

ANISSIMOFF & ASSOCIATES

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By



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